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Remarks/Arguments

Applicants have canceled claims 1-78, amended the claims 79, 84 and 85 and added new claims 89-99. An action on the merits is respectfully requested.

Claim 79 was amended to clarify which material was resuspended. Claim 84 was amended to clarify the approximate amount of centrifugation needed. It will be appreciated that increasing the rate and decreasing the time or vice versa will produce comparable results and thus the claim seeks to quantify the approximate amount of centrifugation needed to clarify what is being sedimented by the centrifugation. Claim 85 was amended to clarify which material is being discussed.

In addition to the previous arguments and contrary to the implications of the previous rejection of record, applicants are using the solvent extraction of a significantly different material for a different purpose and at a different step in the process. The prior art uses solvent extraction to remove plant materials from the desired proteinaceous product. By contrast, applicants rely on different purifications steps to do the same. Applicants use solvent extraction at the last step to make the composition acceptable for injection into an animal by removing infectious material, e.g., bacteria, fungi and other contaminants. The step is intended to reduce bio-burden, not separate product from plant components.

This purpose is emphasized in Example 8 where sterilized equipment and water for injection are used for the solvent extraction. There is no reason to do so if it were not the last step in the purification process. Of course additional non-extraction or non-purification steps may be added such as lyophilizing the material, packaging, adjusting the concentration for proper dosage etc. Newly added claims 97+ emphasize this point. Therefore, the order of the steps is important.

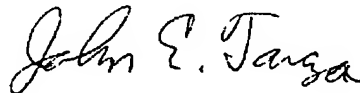
From table 1, one can see that different plants and different extraction methods provide for a great difference in virus yield. When adjusting the composition to 1mg/ml before solvent extraction, the volume of liquid undergoing solvent extraction compared to the original volume of green juice is reduced four fold to over 10,000 fold (depending on the example). This differs dramatically from the prior art usage of solvent extraction green juice/plant homogenate. Newly added claims 92+ emphasize this point.

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If necessary, applicants petition for an extension of time sufficient for consideration of this response.

The commissioner hereby is authorized to charge payment of any fees under 37 CFR § 1.17, which may become due in connection with the instant application or credit any overpayment to Deposit Account No.500933.

Respectfully submitted,



Date: October 27, 2005

John E. Tarcza

Reg. No. 33,638

Attachments: Petition for a two-Month Extension of Time
Request for Continuing Application

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